

Article - Education

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§5–105.

(a) All revenues received by a county board shall be spent by the board in accordance with the major categories of its annual budget as provided under § 5-101 of this subtitle.

(b) (1) (i) A transfer may be made within the major categories without recourse to the county commissioners or county council except that a report of the transfer shall be submitted to the county commissioners or county council within 15 days after the end of each month.

(ii) A report under subparagraph (i) of this paragraph shall include a narrative summary that clearly indicates each transfer.

(2) A transfer between major categories shall be made only with the approval of the county commissioners or county council.

(3) If the county commissioners or county council fail to take action on a request for transfer between major categories within 30 days after the receipt of a written request substantiating the transfer, the failure to take action constitutes approval.

(4) A county board shall submit to the county governing body a report within 15 days after the end of each month if during that month the county board takes any action that would commit the county board to spend more for the current fiscal year in any major category than the amount approved in the annual budget for that category.

(5) A report under paragraph (4) of this subsection shall include a narrative explanation of the action taken, indicating any request for transfer between categories that may become necessary for the fiscal year as a result of the action.

(c) Except as provided in subsection (d) of this section, nonlocal funds received by a county board after the adoption of the annual budget by the county fiscal authority may be spent by the county board if the county fiscal authority is notified and approves of:

- (1) The source and amount of the funds; and
- (2) The manner of spending the funds.

(d) (1) Funds received by the county board under § 2–608(a)(1) of the Tax – General Article after the adoption of the annual budget by the county fiscal authority may be spent by the county board after approval by the county fiscal authority under paragraph (2) of this subsection.

(2) The county fiscal authority shall approve the amount of funds received by the county board under § 2–608(a)(1) of the Tax – General Article within 30 days after the Comptroller makes the distribution to the county board.

(3) If the county fiscal authority fails to take action within 30 days after the distribution by the Comptroller, the failure to take action constitutes approval.

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